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LE REFERENDUM EN SUISSE par SIMON DEPLOIGE, Avocat, précédé d'une LETTRE SUR LE REFERENDUM EN BELGIQUE par J. VAN DEN HEUVEL, Professeur à l'Université de Louvain, Pp. xxxiv. 190. Bruxelles, Société belge de Librairie. 1892.

The problem, to what extent ought the people to participate directly in legislation has always been one of the most interesting in all the range of political speculation. This question is gaining, moreover, a greater and greater practical significance, especially in Belgium, where, after much discussion, definite action is reported to have been taken looking towards the introduction of the Referendum in that country. The book in hand is therefore particularly timely. Without bias or prejudice, he claims, and after a careful personal investigation of the working of the system in Switzerland and consultation with a number of distinguished Swiss publicists, the author gives us the most complete and satisfactory account of the Referendum which has yet appeared. As an introduction Professor J. van den Heuvel, of the University of Louvain, contributes an admirable "Letter on the Referendum in Belgium." Professor van den Heuvel, while an unqualified opponent of the innovation, still allows us to see between his manifold and convincing arguments against the introduction of the Referendum some of the reasons advanced in justification of the change. The plan proposed involves an amendment to the Constitution by which the King may, upon occasion, consult the people directly. This Royal Referendum, it is claimed by its advocates, will strengthen the position of the King and at the same time lighten his responsibility in the exercise of his right to approve or reject bills presented to him. Although the Constitution vests in the monarch the right to veto bills, choose and dismiss his ministers and dissolve the Parliament, he can practically exercise these rights only on rare occasions, owing to the great responsibility involved. The Referendum or direct consultation of the body of voting citizens would show the King the real sentiment of the nation and so permit him to act with confidence. A natural response to such

an argument is that real power is inseparable from responsibility. The weight of responsibility cannot be lightened without to that extent diminishing the scope for self-determination in the ruler. Doubtless if the theory which makes the King simply an exponent of the opinion of half of the voters plus one, were to be accepted in a monarchical government it would furnish a broad basis for the suggested innovation. In fact the introduction of the Referendum in Belgium could hardly fail to alter in this respect the underlying principles of the Constitution. His own personal judgment on the expediency of a measure (in the formation of which the attitude of the country at large could not but enter as an important factor) would no longer determine the King's conduct. It is hardly conceivable that this result could be obviated. If it were left to the King to decide when to resort to the Referendum, the principle of direct popular interference being recognized, he would be subject to petition and insurrection. If, on the other hand, any other authority were intrusted with the power to demand the Referendum the King would lose his power of veto. Professor van den Heuvel, after pointing out the profound differences between the republican and federal Constitution of Switzerland, conferring only limited powers on the central government, and the monarchical, unitary system of Belgium, with its "Cabinet government," depending upon parliamentary majorities, clearly shows how great a change the introduction of the Referendum would cause in the latter country. It would, he claims, not only destroy the prestige of the King but would demoralize the Parliament and the ministers, and undermine the wholesome influence of party organization. "Even the Swiss," he justly observes, "who in respect to their practical sagacity may be placed in the first rank among the nations of Western Europe, have resorted to the Referendum only in a hesitating and reluctant fashion." And yet the Swiss Federation, both by nature and long tradition, lends itself much more easily to the system in question than Belgium.

The main body of the work by M. Deploige falls naturally into the following chapters: 1. The evolution of Democracy in Switzerland. 2. Legislation by the people under the present system, comprising the "Rights of the People," both in the cantons and the Federation, in respect to the Constitution and ordinary legislation, with a description of the *optional* and the *obligatory* Referendum and the system of *initiation*, by the people. Chapter 3 treats of the results of the system. It contains a table of of the twenty-seven instances in which the Federal Referendum has been resorted to since its introduction in 1874, with a discussion of the more important examples. Finally, a collection of the opinions of a number of prominent writers upon the subject in the Swiss newspapers and periodicals furnishes an excellent review of the whole matter. The views are strangely divergent, the results of the Referendum appearing to have produced no very uniform impression upon the observers. But M. Deploige lays down the general rule that the radicals, although it was they who introduced the Referendum in 1874, now oppose it, while the conservatives, suspicious of it at first, now demand its extension in order to render its exercise the easier (p. 172). Among the jurists and professors there is little accord in the matter. M. Ernest Naville believes that the Plebiscitum has a recognized place in the adoption of constitutions, but in the case of ordinary legislation the representative system can alone realize the democratic principle in the conditions of modern society. Professor Wuarin, of the University of Geneva, on the other hand, would have no restrictions, but advocates the extension of the Referendum so as to include matters of *administration*, especially matters of finance. This is a field in which the direct action of the people has been hitherto most carefully excluded. Between these extremes are various shades of opinion.

The question of compulsory voting has, owing to the great number of abstentions, been discussed as an important corollary to the general problem. Professor Wuarin

would have voting as strictly enforced as attendance at military drill or the exercise of the functions of jurymen. Blank votes, however, may always be resorted to in order to evade the law, and to many the very demand for compulsory voting shows the weakness of the whole plan of direct interference by the people in legislation.

J. H. R.

LE GOUVERNEMENT DANS LA DEMOCRATIE, par ÉMILE DE LAVELEYE. 2 Vols. Pp. XV., 392 and 472. Paris, 1891.

In the preface to this last important work of the late M. de Laveleye, the author tells us that while he was collecting materials for a book upon Political Economy, Dupont White said to him, "Write rather a book on Politics. There are many, perhaps too many, who are treating Political Economy, but few who are treating Politics." When we consider the number of hours per week that our newspaper and magazine readers spend over political discussions, this remark of Dupont White seems strange; but with all of our writing upon politics, few can be said to treat the subject with any degree of thoroughness or system. Consequently such books as this and the late notable work of Mr. Sidgwick on the "Elements of Politics" are doubly welcome.

The chief matter for regret in connection with such works is that most of our politicians who give their time to the reading and studying of politics in newspapers and in practical life will hardly find the leisure to read these more comprehensive and thorough studies. This work, like that of Mr. Sidgwick, treats of the nature of governments and of human rights, discusses at length the functions of states, and then takes up the various means adopted by civilized governments for performing these functions. Legislatures, their composition and organization; the executive, with his powers and duties and relations to the legislature; political parties, their significance, benefits and evils; the nature of the suffrage, and nearly all of the most important questions of politics are treated fully and impartially.